

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13060, of Dion and Jenny K. Johnson, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the prohibition against allowing an addition to a non-conforming structure which together with the accessory building now exceeds the lot occupancy and floor area ratio requirements (Paragraph 7107.21), from the lot occupancy requirements (Sub-section 3303.1) and Paragraph 7107.23), the floor area ratio requirements (Sub-section 3302.1 and Paragraph 7107.23) and from the open court requirements (Sub-section 3306.1 and Paragraph 7107.22) for a rear addition to a flat in an R-5-B District at the premises 629 G Street, S.E. (Square 878, Lot 153).

HEARING DATE: September 17, 1979

DECISION DATE: September 17, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of G Street between 6th and 7th Streets, S.E. and is known as 629 G Street, S.E. It is in an R-5-B District.
2. The site has a lot area of 2673.17 square feet and is improved with a three story brick flat and a carriage house built about 1800.
3. The flat and the carriage house constitute a non-conforming structure since together they now exceed the lot occupancy and FAR requirements of the Zoning Regulations.
4. The applicant proposes to add a bay approximately 59.11 square feet in area, to the middle story of the building and to add an exit consisting of a door, landing, a set of steps and railing from the same story to the back yard.
5. The proposed bay will enlarge the kitchen to the minimum extent necessary to provide a sit down space for meal preparation and limited family eating. It will also enhance the view from the patio in the back yard and from both of the neighbors back yards over the existing deteriorating back wall.
6. The proposed exit will provide a second exit from the main house. It will also provide access to the back yard and rear carriage house.

7. Most of the proposed exit will not be visible to either abutting neighbors. The view from the north side is mostly blocked by a high, solid wood fence. The yard of the neighbor on the south side is four feet below the subject yard separated by a three foot fence covered with vines.

8. The proposed additions will require a variance from the lot occupancy requirements of the Zoning Regulations of 538.06 square feet (33.55 per cent), from the FAR requirements of 143.45 square feet (2.95 per cent) and the open court requirements of nine feet (ninety per cent).

9. The carriage house occupies 1336.50 square feet and the flat, 746.36 square feet of the site.

10. There was no opposition to the application.

11. Advisory Neighborhood Commission - 6B testified at the public hearing. It recommended that the application be approved on the grounds that the neighbors support it, the need for variances stem largely from the existence of the carriage house, there is no detriment to the neighboring property and there is no presumable harm to the zoning plan. The Board so finds.

#### CONCLUSIONS OF LAW:

Based on the record, the Board concludes that the applicant is seeking area variances, the granting of which requires a showing of a practical difficulty stemming from the property itself. The Board notes the age of the subject property. The buildings were in existence prior to the current Zoning Regulations, effective May 12, 1958. The Board further notes that the carriage house is the factor causing the buildings to exceed the lot occupancy requirements. The floor area ratio variance is minimal. The open court variance is needed to provide a rear exit for the main portion of the flat. The practical difficulties are inherent in the land from the design of the improvements. The Board further concludes that the application can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 4-0 (Charles R. Norris, William F. McIntosh, Walter B. Lewis, and Leonard L. McCants to GRANT, Chloethiel Woodard Smith not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT.

ATTESTED BY: Steven E. Sher  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 7 DEC 1979

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT.